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The situation in the occupied territories of Azerbaijan

Protracted conflicts in the GUAM area and their implications for international peace, security and development

Letter dated 17 August 2007 from the Chargé d'affaires a.i. of the Permanent Mission of Azerbaijan to the United Nations addressed to the Secretary-General

In addition to the previous letters from the Permanent Representative of Azerbaijan to the United Nations addressed to the Secretary-General of 5 July (A/61/991-S/2007/410), 9 July (A/61/1000-S/2007/422) and 23 July 2007 (A/61/1006-S/2007/452), I have the honour to draw your attention to the reaction of the international community to the so-called "presidential elections" held on 19 July 2007 in the occupied Nagorno-Karabakh region of the Republic of Azerbaijan (see annex).

The following international organizations, the United Nations, the Organization for Security and Cooperation in Europe, the Council of Europe, the North Atlantic Treaty Organization, the Organization of the Islamic Conference, the European Union, the European Parliament and the Organization for Democracy and Economic Development-GUAM, as well as Australia, Canada, the People's Republic of China, France, Hungary, the Islamic Republic of Iran, Israel, Japan, Latvia, Morocco, Norway, Romania, Turkey, Ukraine and the United States of America condemned the above-mentioned matter, underlining that the legitimacy of such kinds of elections and their results, which disregard the principles and norms of international law, in particular territorial integrity and the inviolability of the frontiers of the Republic of Azerbaijan, cannot be recognized and do not have any legal effect.

At the same time so-called "municipal elections" in the Nagorno-Karabakh region of the Republic of Azerbaijan, which are going to be held in October 2007 are of the same type, "results" that will have no legal validity.

It is the strong belief of my Government that these "elections" are of a provocative nature and cannot be considered legal, nor will they contribute to the

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international mediation efforts aimed at the peaceful settlement of the conflict on the basis of the norms and principles of international law, including Security Council resolutions 822 (1993), 853 (1993), 874 (1993) and 884 (1993). Any future elections can only be conducted under the jurisdiction of the Republic of Azerbaijan with the participation of both the Armenian and Azerbaijani communities of the Nagorno-Karabakh region of the Republic of Azerbaijan.

I should be grateful if the present letter and its annex were to be distributed as a document of the sixty-first session of the General Assembly, under agenda items 17 and 27, and of the Security Council.

(*Signed*) Ilgar **Mammadov**
Chargé d'affaires a.i.

Annex to the letter dated 17 August 2007 from the Chargé d'affaires a.i. of the Permanent Mission of Azerbaijan to the United Nations addressed to the Secretary-General

Enclosure I

Ministry of Foreign Affairs of Romania

Press release

The Ministry of Foreign Affairs took note of the fact that on 19th of July, 2007, "presidential elections" took place in Nagorno-Karabakh. Romania does not recognize the independence of Nagorno-Karabakh, neither the legitimacy of this "poll", that should not have any consequences on the peaceful settlement of the Nagorno-Karabakh conflict.

It should be granted, also, the rights of refugees and Internally Displaced Persons, to return in full safety and dignity to their own houses, in order to take part totally to the voting process.

Ministry of Foreign Affairs reiterates the strong support for Minsk Group and for its co-chairs, as well as for their efforts, aimed to the settlement of the Nagorno-Karabakh conflict, and encourages the conflicting sides to intensify the efforts for identifying a negotiated solution of the conflict.

Enclosure II

Republic of Turkey
Ministry of Foreign Affairs

Press statement regarding the "presidential elections" in Nagorno-Karabakh*

16 July 2007

We learned that the so-called "Presidential Election" in the Armenian occupied Nagorno-Karabakh region of Azerbaijan is to be held on 19 July 2007, subsequent to the "Constitutional Referendum" held in the same region in a similar vein on 10 December 2006, in contravention of international law and disregarding the will of the international community.

This election is viewed as part of the efforts to unilaterally legitimize the unlawful situation in Nagorno-Karabakh, and is an explicit violation of the principles of international law, United Nations Security Council resolutions and the principles of the Organization for Security and Cooperation in Europe (OSCE).

The Nagorno-Karabakh conflict constitutes the most important impediment to the establishment of peace, stability and cooperation in the South Caucasus and prevents the creation of an environment conducive to good-neighbourliness and cooperation among the countries in the region. At a time when negotiations are being pursued within the OSCE Minsk Process to reach a peaceful settlement of the Nagorno-Karabakh conflict and the Azerbaijani-Armenian dispute, organizing a "Presidential Election" in the occupied Nagorno-Karabakh region obviously constitutes an initiative that challenges the efforts geared towards a peaceful resolution.

Within these considerations, Turkey denounces this renewed effort of Armenia to violate Azerbaijan's political unity, sovereignty and territorial integrity; and will not recognize the outcome of such illegitimate "Presidential Elections" that will have no binding effect whatsoever under international law.

* Unofficial translation.

Enclosure III

Embassy of Japan

The Embassy of Japan presents its compliments to the Ministry of Foreign Affairs of the Republic of Azerbaijan and has the honour to reaffirm the consistent position of the Government of Japan on the Nagorno-Karabakh conflict — it is important to settle the conflict in a peaceful way, based on a principle of the territorial integrity of the Republic of Azerbaijan within the internationally recognized borders.

Therefore, Japan shares the same concern expressed by the Organization for Security and Cooperation in Europe regarding the recent "presidential elections in the Nagorno-Karabakh".

The Embassy of Japan avails itself of this opportunity to renew to the Ministry of Foreign Affairs the assurances of its highest consideration.

Baky, 24 July 2007

Ministry of Foreign Affairs
Baky

Enclosure IV

Ministry of Foreign Affairs of the Republic of Latvia

The Ministry of Foreign Affairs does not recognize the "presidential elections" held in Nagorno-Karabakh

20 July 2007

The Ministry of Foreign Affairs does not recognize the "presidential elections" held on 19 July 2007 in Nagorno-Karabakh nor their outcome.

The Ministry reiterates its support for the activities of the Organization for Security and Cooperation in Europe (OSCE) Minsk Group and its efforts towards a settlement of the Nagorno-Karabakh conflict. The Ministry of Foreign Affairs considers that the conducting of the "presidential elections", thus pre-empting the outcome of the ongoing negotiations, did not contribute to peaceful conflict resolution.

Enclosure V

[Original: French]

Kingdom of Morocco
Ministry of Foreign Affairs and Cooperation

20 July 2007

The Ministry of Foreign Affairs and Cooperation presents its compliments to the Embassy of the Republic of Azerbaijan in Rabat, and has the honour to acknowledge receipt of its note dated 17 July and the statement attached thereto.

The Ministry has taken note of this statement and, reiterating its commitment to the territorial integrity of States as stipulated in Article 2, paragraph 4, of the Charter of the United Nations, calls on the parties involved in the conflict in Nagorno-Karabakh to return to the negotiating table in order to find a peaceful solution to this conflict in a spirit of good-neighbourliness and mutual respect, in accordance with the relevant Security Council resolutions, including resolution 853 (1993) of 29 July 1993 and resolution 884 (1993) of 12 November 1993.

These negotiations could prevent any unilateral actions and would allow the States in the region to safeguard their territorial integrity and to live in peace and security, in the interest of and for the good of the populations concerned.

Embassy of the Republic of Azerbaijan
Rabat

Enclosure VI

Organization for Security and Cooperation in Europe

Press release

23 July 2007

Elections in Nagorno-Karabakh should not have any impact on the peaceful settlement of the conflict, OSCE Chairman-in-Office says

MADRID 20 July 2007 — Efforts to resolve the conflict in Nagorno-Karabakh should not be hindered by the recent so-called "presidential elections" in the area, OSCE Chairman-in-Office, Spanish Foreign Minister Miguel Angel Moratinos, said today.

"The OSCE does not recognize the independence of Nagorno-Karabakh and therefore, these elections should not have any impact or any significance on the solution of the conflict", Minister Moratinos said.

The Chairman-in-Office reiterated his support to the efforts of Co-Chairmen of the Minsk Group to facilitate a peaceful settlement in the Nagorno-Karabakh conflict.

Enclosure VII

Remarks of the spokesman of the Ministry of Foreign Affairs of China, Liu Jianchao, on the election in the Nagorno-Karabakh region

23 July 2007

Question: The Nagorno-Karabakh region held "presidential election" on 19 July. What is your comment?

Answer: The Chinese Government respects the independence, sovereignty and territorial integrity of the Republic of Azerbaijan and supports the resolutions of the United Nations Security Council on the Nagorno-Karabakh region. China hopes that the relevant parties can find a proper solution in line with universally recognized international law at an early date. China is ready to continue making constructive efforts with the international community to this end.

Enclosure VIII

[Original: French]

Statement by the spokesperson for the French Ministry of Foreign and European Affairs

Paris, 19 July 2007

Nagorno-Karabakh

In connection with the so-called "presidential elections" held on 19 July by the authorities of the self-proclaimed Republic of Nagorno-Karabakh, France reiterates that, like all members of the international community, it does not recognize Nagorno-Karabakh as an independent state. The outcome of such a vote, even if it allows the community with de facto control over Nagorno-Karabakh to organize itself, should not be recognized as prejudging the future legal status of the region.

The final status of Nagorno-Karabakh may be determined only as a result of political negotiations between all parties to the conflict and involving all communities, within the framework of the Organization for Security and Cooperation in Europe (OSCE) Minsk Group, co-chaired by France, the United States of America and the Russian Federation, which has proposed the basic principles for a peaceful and equitable settlement of the conflict.

Any unilateral action aimed at predetermining the future status of Nagorno-Karabakh, or any threat of use of force to obtain this, will merely serve to place additional obstacles in the path of the ongoing negotiations.

Enclosure IX

Ministry of Foreign Affairs of Hungary

Note verbale

The Ministry for Foreign Affairs of the Republic of Hungary presents its compliments to the Embassy of the Republic of Azerbaijan and, with reference to the esteemed Embassy's Note 1141/07 dated 4 July 2007 has the honour to confirm Hungary's principal position in connection with unilateral acts of one of the players of a conflict.

According to Hungary's firm position, unilateral acts like the "presidential election" in Nagorno-Karabakh undermine the confidence desperately needed between the conflicting sides for the peaceful resolution of the conflict. These acts, which disregard the territorial integrity and the wish of a considerable part of the population inhabiting the territory in question, cannot be recognized as legal. Therefore Hungary, as in the previous cases, will recognize neither the "election" itself, nor its results.

Budapest, 11 July 2007

Enclosure X

[Original: Russian]

Excerpts from the "Day.Az" news forum (www.day.az)

Norwegian Ambassador says "presidential elections" in Nagorno-Karabakh not recognized by Norway

19 July 2007

Mr. Jon Ramberg, Norwegian Ambassador to Azerbaijan, has said that the Kingdom of Norway does not recognize the outcome of the "presidential elections" in Nagorno-Karabakh, adding that his country does not consider those "elections" to be legal.

The Parliamentary Assembly of the Council of Europe (PACE), the Georgia, Ukraine, Azerbaijan, Moldova Group (GUAM), the European Commission Special Representative to Azerbaijan, the United States of America, Turkey and other countries had declared earlier that they did not recognize the outcome of the "presidential elections" held by Armenian separatists on occupied Azerbaijani territory.

"Presidential elections" in Nagorno-Karabakh not recognized by Iran

21 July 2007

The Islamic Republic of Iran does not recognize the separatist elections held in Nagorno-Karabakh on 19 July, according to Mr. Medzhid Feizullakhi, Press Attaché of the Embassy of Iran in Azerbaijan.

Mr. Feizullakhi announced that the position of the Islamic Republic of Iran was clear: it recognized the territorial integrity of the Republic of Azerbaijan.

"We call upon all countries of the world to do likewise", the Iranian diplomat added.

Recalling that the head of the Iranian foreign policy department, at the time of the previous separatist elections in Nagorno-Karabakh, had referred to the illegality of such steps being taken by the leadership of the separatist regime in the Nagorno-Karabakh region of the Republic of Azerbaijan, he called on the international community to support Azerbaijan with respect to that issue.

Elections in Nagorno-Karabakh also not recognized by Australia, Canada, Japan and Israel

21 July 2007

Our "day.az" correspondent has been informed by officials at the Australian Embassy in Ankara that Canberra does not officially recognize the "presidential elections" held in Nagorno-Karabakh and that it supports the territorial integrity of Azerbaijan. The Embassies of Canada and Turkey have also expressed the same position.

Meanwhile, the Japanese and Israeli Embassies in Baku have also condemned the holding of the so-called "presidential elections" in Nagorno-Karabakh.

We should note that this is the first time in the long years of the Nagorno-Karabakh conflict that Baku has officially received such support from the international community. These elections had already been condemned by the United States of America, the European Union, the North Atlantic Treaty Organization (NATO), OSCE, GUAM and other international organizations.

Elections in Nagorno-Karabakh also not recognized by NATO

20 July 2007

NATO spokesman Mr. James Appathurai has delivered a statement in Brussels declaring that NATO does not recognize the outcome of the presidential elections held yesterday in Nagorno-Karabakh, "Svoboda" radio station reports.

The NATO spokesman said that his organization was aware that so-called presidential elections had been held on 19 July and that, like other international organizations and institutions, NATO did not recognize the outcome of the presidential elections in Nagorno-Karabakh, or any elections held there.

"Presidential elections" held in Nagorno-Karabakh not recognized by United Nations

24 July 2007

The United Nations does not recognize the so-called "presidential elections" held in Nagorno-Karabakh, according to Mr. Bruno Pueza, United Nations Resident Coordinator in Azerbaijan.

Mr. Pueza stated that the position of the United Nations with regard to Nagorno-Karabakh remained unchanged: the United Nations did not recognize the body referred to as the Government of the Nagorno-Karabakh Republic and it respected the territorial integrity of Azerbaijan. He also said that the Government of Azerbaijan had submitted a communiqué on the "elections" to the United Nations General Assembly for discussion.

"Presidential elections" held in Nagorno-Karabakh not recognized by Ukraine

20 July 2007

Mr. Stepan Volkovetsky, Ambassador Extraordinary and Plenipotentiary of Ukraine in Azerbaijan, has said that his country does not recognize the separatist elections held in Nagorno-Karabakh on 19 July, ANS television channel reports.

The Ukrainian diplomat said that the Ukrainian Government and people recognized the territorial integrity of the Republic of Azerbaijan and emphasized that nothing would change that position.

United States Department of State has declared that it does not recognize the "presidential elections" held in Nagorno-Karabakh: (updated)

20 July 2007

The Department of State has issued a statement on the illegal "presidential elections" held in Nagorno-Karabakh.

13:00 hrs

Joanne Moore, a spokeswoman for the Department of State, said that the United States recognized the territorial integrity of Azerbaijan and would leave the question of the future status of Nagorno-Karabakh to be resolved by the parties to the conflict.

Ms. Moore stated that neither the United States nor any other country of the world recognized Nagorno-Karabakh as an independent state. Furthermore, Washington did not officially recognize the "presidential elections" held by the separatist regime on 19 July and it did not believe that the holding of those "elections" would have any impact on successful negotiations for a peaceful settlement of the conflict.

Ms. Moore expressed the hope that the Presidents of Azerbaijan and Armenia would soon reach an agreement which, in turn, would open the way for a draft comprehensive peace agreement to be drawn up.

11:24 hrs

Mr. Chase Beamer, Press Officer in the State Department's Bureau of European and Eurasian Affairs, expressed the hope that the holding of the "elections" would not have any impact on negotiations for a peaceful settlement of the conflict.

Mr. Beamer said that the United States did not recognize Nagorno-Karabakh or the holding of "elections" there. The United States respected Azerbaijan's territorial integrity and, along with other co-chairs of the OSCE Minsk Group, would make efforts to search for a peaceful solution to the conflict, in cooperation with the Government of Azerbaijan.

He hoped that the Presidents of Armenia and Azerbaijan would reach an agreement on basic principles as soon as possible, which would pave the way for the establishment of a comprehensive peace agreement.